

Applicants: Lu et al.
Serial No. 10/045,722
Page 8

REMARKS

Applicants submit the instant Response to the final Office Action mailed 22 September 2005 in which pending claims 8-21 were rejected. Herewith no amendments are presented, no new claims added, and no claim canceled.

Applicants respectfully request entry and favorable consideration of the amendments and remarks presented herewith. Said Response is intended to place the pending claims in condition for allowance without introducing new issues requiring further consideration or search by the Examiner.

Rejection Under 35 U.S.C. §112

Claims 8-28 are rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. Specifically, the Examiner maintains that no support can be found for "a sampler and digitizer that performs compression as now recited in claim 8."

Applicants respectfully disagree and herewith traverse said rejection. For example, without limitation, at least the following excerpt from the application-as-filed provides support for the claim limitation (from claim 15 at page 26, lines 26-32):

a high pass filter (HPF) for filtering the analog physiologic signal, the HPF having a the cut-off frequency within the predetermined frequency bandwidth, wherein a low-band portion of the predetermined frequency bandwidth is attenuated in the filtered analog physiologic signal;

means for sampling and digitizing the filtered physiologic signal as a digital data set in a real time order;

means for compressing the data set by lossy data compression; (emphasis added.)

Also, additional support for the claim limitation can be found at FIG. 1. Furthermore, Applicants suggest that support for the claim limitation can be found within the contents of the nearly 20 patent document listed and/or incorporated by reference within the instant specification.

Applicants: Lu et al.
Serial No. 10/045,722
Page 9

Rejection Under 35 U.S.C. §112

Claims 22-28 are rejected under 35 U.S.C. §112, second paragraph due to an alleged lack of sufficient antecedent basis for the limitation recited; namely, "means for comparing the compressed data set" in line 17 of claim 22.

Applicants respectfully disagree and herewith traverse said rejection. For example at page 10 (lines 4-7) the following text is recited:

Thus, the present invention has particular application to the processing of the EGM to ensure that ST segment deviations from baseline due to ischemia are accurately depicted when the EGM is reconstituted and displayed for view by a medical care provider or provided for comparison to thresholds or templates for automatic ischemia detection. (emphasis added.)

Applicants assert that to those of skill in the art, this passage expressly covers the claim limitations and, in the event that the Examiner disagrees, Applicants assert that the claim limitation is present in the specification as filed under well-known principles of inherency.

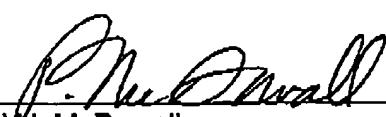
Applicants believe that the pending claims are now in condition for allowance and solicit a Notice of Allowance so that the claimed invention may pass to timely issuance as U.S. Letters Patent.

CONCLUSION

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned attorney to attend to these matters.

Respectfully submitted,

Date: 22 Nov. 05


Paul H. McDowell
Reg. 34,873
Telephone: (763) 514-3351
Customer No. 27581